

REMARKS

Introduction

Claims 1-16 are pending and stand rejected. With this response, claims 9, 10, and 15 are cancelled and claims 1, 3, 8, 13, 14, and 16 are amended. Claims 1, 8 and 13 are the only independent claims.

The Rejections

Claims 1-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Published Application 2004/0264947A1 to Okada in view of U.S. Published Application No. 2003/0126201 to Hoang. Claims 8-16 were rejected under 35 U.S.C. §103(a) over Okada in view of U.S. Patent No. 6,233,695 to Ahn. The rejections as they may apply to the claims presented herein are respectfully traversed.

The Rejections of Claims 1-7 are Traversed

Amended claim 1 recites creating and storing in a memory a free memory list for the electronic storage medium. A first portion of a file that is stored on the electronic storage medium is selected. The selected first portion of the file is copied to the free memory list without copying a second portion of the file and leaving a deallocated portion of memory corresponding to the first portion.

In contrast, Okada teaches a system where video segments are stored on an optical disc. Okada's system has the ability to delete particular video object units (VOBUs) from video objects (VOBs) (e.g., VOB#1 and VOB#2 in VOB#2). More specifically, the to-be-deleted VOBUs must be at the beginning and ending of a VOB. See paragraph Okada, paragraph 367. While these VOBUs may be deleted, there is nothing in Okada that teaches the use of a memory list as recited in claim 1. Moreover, there is also nothing in Okada that teaches that a first portion of a file is copied to any list without copying a second portion and leaving a deallocated portion all as recited in claim 1.

The Hoang reference describes a system where a listing of free memory blocks is apparently maintained (see Hoang, paragraph 41). More specifically, Hoang notes that the free memory list provides an "indirection" to a free/unused portion of memory and this "indirection" may be a memory offset or true pointer. See Hoang, paragraph 34. However,

there is no teaching or suggestion in Hoang as to selecting a portion of a file and copying that *portion* to a free memory list as recited in claim 1. To the contrary, only pointers to free memory are provided in the list, not the portions themselves. Moreover, there is also nothing in Okada that teaches that a first portion of a file is copied to the list without copying a second portion and leaving a deallocated portion also as recited in claim 1.

Since at least one element of claim 1 is not taught or suggested by either Okada or Hoang, it is submitted that claim 1 is allowable over the proposed combination of Okada and Hoang. Claims 2-7 depend directly or indirectly upon claim 1. Since claim 1 is allowable, it is submitted that the remaining claims are also allowable.

The Rejections of Claims 8, 11-14, and 16 are Traversed

Claim 8 recites storing a first media file on a memory of the personal video recorder. A signal for marking a starting flag for the first media file is received and the starting flag indicates a starting point located anywhere in the first media file. A signal for marking an ending flag for the media file is received and the ending flag indicates an ending point located anywhere in the first media file. The portion of the first media file between the starting flag and the ending flag is deleted. A second portion of the first media file is selected and a second media file is provided. The second portion of the first media file is copied to the second media file.

Okada describes an approach where a video object (VOB) is organized into video object units (VOBUs). Okada also describes the deletion of VOBUs. However, the deleted VOBUs can not be located anywhere on the media. To the contrary, VOBUs can only be deleted if they are located at the start or the end of the VOB. See Okada, 222, 366-367 and 372-373.

Okada also describes the merging of two files. More specifically, Okada describes that AV files Af and Af+1 are merged together. The merging achieves the “seamless reproduction of Af, data in memory, and the file Af+1 in that order.” See Okada, paragraphs 713-714.

Okada does not teach or suggest that the portion of the media file between the starting flag and the ending flag is deleted, that a second portion of the media file is selected and a second media file is provided, and that the second portion of the media file is copied to the second media file all as recited in claim 8. To the contrary, the end result of any merging activity in Okada is a single file, not multiple files.

Ahn describes a system a data transmission control system. Ahn does not remedy the deficiencies of Okada. In fact, Ahn does not teach deletion of all or part of files let alone copying a second portion of a media file to a second file as recited in claim 8.

Since at least one element of claim 8 is not taught or suggested by either Okada or Ahn, it is submitted that claim 8 is allowable over the proposed combination of Okada and Ahn. Claims 11-12 depend upon claim 8. Since claim 8 is allowable, it is submitted that claims 11-12 are allowable.


Amended independent claim 13 has recitations similar to claim 8 and is submitted to be allowable for the same reasons as claim 8. Claims 14 and 16 depend upon claim 13. Since claim 13 is allowable, it is submitted that claims 14 and 16 are allowable.

Conclusion

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

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